

REMARKSClaim Rejections – 35 U.S.C. § 102

The Examiner has rejected claims 1-8, 10, and 12-20 under 35 U.S.C §102, as being anticipated by Hollenberg (U.S. Patent No. 6,091,956). For the reasons set forth below, Applicant asserts that the cited reference fails to teach or render obvious Applicant's invention as claimed in claims 1-8, 10, and 12-20.

Hollenberg discloses a "Situation Information System relat[ing] to information communications between sources of timely information and one or more information users which also provide information to other users. Broadly stated, situation information pertains to information about events or conditions associated with places which the mobile user may encounter or consider visiting. It particularly includes events occurring or about to occur in a locus accessible to the mobile user and to which the user may arbitrarily choose to respond by visiting one or more of the events, avoiding them entirely, communicating them to another person, rectifying them, or otherwise modifying plans and itineraries in light of such events. Sources of situation information are databases of local information and information from users themselves. Additionally, the situation information system provides users with up-to-date map-tracking information relating their location to events and situations as well as enabling them to respond in a timely manner." (Hollenberg column 4, line 34 to line 51) Essentially, Hollenberg's system is a data exchange system between sources of information and users of information. Hollenberg discloses an apparatus that displays information about events

occurring or about to occur in a locus accessible to the user. Thus, Hollenberg is limited to displaying information received from the immediate area such as maps and advertisements.

With respect to independent claim 1 of the presently claimed invention, Applicant teaches and claims “[a]n electronic appliance implemented method comprising ascertaining a current location/location type of the electronic appliance, identifying an appliance personality from a plurality of available personalities based, at least in part, on the ascertained current location/location type of the electronic appliance, provisioning the identified appliance personality on the electronic appliance but allowing access to all appliance personalities in any location, and selecting and providing a user interface and an application set from a plurality of available user interfaces and application sets to reflect the identified appliance personality.” The presently claimed invention’s appliance personality includes many possible applications associated with that appliance. For example, a Personal Digital Assistant (PDA) would potentially include a word processor, a spreadsheet, an email application, a web browser, calendaring, contact information, games, as well as many other such feature applications associated with a PDA. This personality is entirely different and more robust than Hollenberg’s apparatus that just displays certain information received from other users and sources of information associated with the immediate user location. Additionally, the presently claimed invention is allows access to all appliance personalities in any location. Therefore, it is entirely probable that a user could be out in a forest and be browsing their email and contact information, functions and information that have nothing to do with the immediate surrounding area, which is a limitation of Hollenberg. Thus, because

Hollenberg does not teach the presently claimed invention, Applicant respectfully submits that Hollenberg does not anticipate claim 1.

Furthermore, claims 2-8 are dependent upon independent claim 1. Thus, for at least the same reasons advanced above with respect to independent claim 1, Applicant respectfully submits that Hollenberg does not anticipate claims 36 and 39-41.

In regard to independent claims 10 and 19, Hollenberg does not anticipate Applicant's invention for the same reason as independent claim 1. Again, Applicant's invention appliance personality includes many possible applications associated with that appliance, which is entirely different and more robust than Hollenberg's apparatus that just displays certain information received from other users and sources of information associated with the immediate user location. Additionally, the presently claimed invention allows access to all appliance personalities in any location and is not limited to the information in the immediate proximity of the user, which is a limitation of Hollenberg. Thus, because Hollenberg does not teach the presently claimed invention, Applicant respectfully submits that Hollenberg does not anticipate claims 10 and 19.

Furthermore, claims 13-18 are dependent upon independent claim 10. Thus, for at least the same reasons advanced above with respect to independent claim 10, Applicant respectfully submits that Hollenberg does not anticipate claims 13-18.

As such, Hollenberg does not teach or anticipate Applicant's invention as claimed in pending claims 1, 3-8, 10, and 13-19. Furthermore, Applicant is canceling claims 2, 12, and 20. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. §102 rejection of claims 1-8, 10, and 12-20.

**Claim Rejections – 35 U.S.C. § 103**

The Examiner has rejected claims 9 and 11 under 35 U.S.C §103(a) as being unpatentable over “Hollenberg (U.S. Patent No. 6,091,956) in view of Murata (U.S. Patent No. 6,181,952).” For the same reasons set forth above in regard to Hollenberg in view of the response to the 35 U.S.C §102 rejection, Applicant asserts that the cited reference fails to teach, suggest, or render obvious Applicant’s invention as claimed in claims 9 and 11.

Claim 9 is dependent upon independent claim 1. Thus, for at least the same reasons advanced above with respect to independent claim 1, Applicant respectfully submits that Hollenberg does not render this dependent claim obvious.

Claim 11 is dependent upon independent claim 10. Thus, for at least the same reasons advanced above with respect to independent claim 1, Applicant respectfully submits that Hollenberg does not render this dependent claim obvious.

As such, Hollenberg does not teach, suggest, or render obvious Applicant’s invention as claimed in pending claims 9 and 11. Applicant respectfully requests withdrawal of the 35 U.S.C. 103(a) rejection of claims 9 and 11.

If there are any additional charges, please charge Deposit Account No 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact James H. Salter at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Heather M. Molleur  
Heather M. Molleur ( Reg. No. 50,432 )

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300

**VERSION WITH MARKINGS TO SHOW CHANGES MADE****IN THE CLAIMS**

1. (Amended) An electronic appliance implemented method comprising:
  - (a) ascertaining a current location/location type of the electronic appliance;
  - (b) identifying an appliance personality from a plurality of available personalities based, at least in part, on the ascertained current location/location type of the electronic appliance;
  - (c) provisioning the identified appliance personality on the electronic appliance **but allowing access to all appliance personalities in any location; and [.]**
  - (d) **selecting and providing a user interface and an application set from a plurality of available user interfaces and application sets to reflect the identified appliance personality.**
10. (Amended) An electronic appliance comprising:
  - a receiver, coupled to an antenna, to receive signals including information;
  - a processor, couple to the receiver, to determine a location of the electronic appliance from the received signals; **[and]**
  - a storage medium having stored therein a plurality of processor executable instructions for selectively implementing a plurality of appliance personalities for

the electronic appliance, wherein an appropriate appliance personality is selected and provisioned by the processor based, at least in part, on the determined location of the electronic appliance, but access to all appliance personalities in any location is allowed; and [.]

the storage medium having stored therein a plurality of instructions for a plurality of user interfaces and application sets which are selectively executed by the processor to provision appliance personalities.

19. (Amended) A storage medium having stored therein a plurality of executable instructions which, when executed, implement an appliance personality provisioning system having a number of functions, including a location identification function which determines a current location of a host appliance, personality selection function which selects an appliance personality from a plurality of appliance personalities available to the host appliance based, at least in part, on the identified current location of the host appliance, but access to all appliance personalities in any location is allowed, [and] a function to provision a selected personality on the host appliance, and a function to implement a plurality of user interfaces and a plurality of application sets corresponding to the plurality of available appliance personalities.